

## **REMARKS**

In the Office Action mailed March 18, 2008, the Examiner: (i) objected to claims 15, 17-23 and 29 because of informalities and (ii) rejected claims 30 and 31 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,661,974 to Akiyama et al. (hereinafter "Akiyama"). Additionally, the Examiner indicated that claims 15, 17-24 and 29 would be allowed after the above objections were overcome. Applicants thank the Examiner for indicating the allowable subject matter.

### **I. Response to the Rejection under 35 U.S.C. § 102(e)**

As noted above, the Examiner rejected claims 30 and 31 under 35 U.S.C. § 102(e) as being anticipated by Akiyama. While Applicants do not acquiesce that claims 30 and 31 are anticipated by Akiyama, Applicants have canceled claims 30 and 31 in order to expedite allowance. Since claims 30 and 31 have been canceled, the 102(e) rejection of these claims is now moot. Accordingly, Applicants request withdrawal of the rejection under § 102(e).

### **II. Response to the Claim Objections and Claim Rejections**

As noted, the Examiner objected to claims 15, 17-23 and 29 because of informalities, and indicated claims 15, 17-24 and 29 would be allowable once these informalities were corrected. In particular, the Examiner suggested amending claims 15 and 29 to replace the phrase "power/etalon/wavelength" with "power, etalon, or wavelength."

Applicants have amended claims 15 and 29 as suggested by the Examiner. Applicants submit that this amendment does not change the scope of claim, and have made this amendment in order to expedite allowance.

Having made the amendments suggested by the Examiner, submit that claims 15, 17-24, and 29 are in condition for allowance and respectfully request notice to this effect.

### **III. Conclusion**

For the foregoing reasons, Applicants submit that claims 15, 17-24, and 29 are in condition for allowance. Applicants thus respectfully request favorable reconsideration. Should the Examiner wish to discuss this case with the undersigned, the Examiner is welcome to call the undersigned at (312) 913-3341.

Respectfully submitted,

Date: May 16, 2008

By: /Michael D. Clifford/  
Michael D. Clifford  
Reg. No. 60,550

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive  
Chicago, Illinois 60606-6709  
312 913-3341  
clifford@mbhb.com